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FILED

Aug 31 2023

Mark B. Busby
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

| | | |
|---------------------------|---|--|
| UNITED STATES OF AMERICA, |) | CASE NO. 3:23-MJ-71235-MAG |
| |) | |
| Plaintiff, |) | [PROPOSED] DETENTION ORDER |
| |) | |
| v. |) | |
| |) | |
| JORGE JAIR ALAS-AVILA, |) | |
| |) | |
| Defendant. |) | |

On August 8, 2023, defendant JORGE JAIR ALAS-AVILA was charged by Indictment with Possession with the Intent to Distribute Fentanyl, in violation of 21 U.S.C. § 841(a)(1) and 841(b)(1)(A).

This matter came before the Court on August 29, 2023, for a detention hearing. The defendant was present and represented by Assistant Federal Public Defender Sophia Whiting. Assistant United States Attorney Joseph Tartakovsky appeared for the government. The government moved for detention, and the defendant opposed. At the hearing, counsel submitted proffers and arguments regarding detention.

Upon consideration of the facts, proffers and arguments presented, and for the reasons stated on the record, the Court finds by a preponderance of the evidence that no condition or combination of conditions will reasonably assure the appearance of the person as required. Accordingly, the defendant

1 must be detained pending trial in this matter.

2 The present order supplements the Court's findings and order at the detention hearing and serves
3 as written findings of fact and a statement of reasons as required by Title 18, United States Code,
4 Section 3142(i)(1). As noted on the record, the Court makes the following findings as the basis for its
5 conclusion: the defendant has no ties to the District of Oregon, the charging district for this Indictment,
6 and only very weak ties to the Northern District of California or the United States as a whole. The
7 defendant is Honduran, and he reported to Pretrial that he has lived in Honduras for the large majority of
8 his life and that none of his family lives in the United States. The defendant reported living in the
9 United States, after a prior removal, for between a year and a year and a half. In particular, he reported
10 living at an Oakland location for around 10 months but said that he was unable to recall the address.
11 The defendant proposed bail resources, but these individuals have no ties to the District of Oregon and
12 are effectively judgment-proof. This finding is made without prejudice to the defendant's right to seek
13 review of defendant's detention, or file a motion for reconsideration if circumstances warrant it.

14 Pursuant to 18 U.S.C. § 3142(i), IT IS ORDERED THAT:

15 1. The defendant be, and hereby is, committed to the custody of the Attorney General for
16 confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving
17 sentences or being held in custody pending appeal;

18 2. The defendant be afforded reasonable opportunity for private consultation with counsel;
19 and

20 3. On order of a court of the United States or on request of an attorney for the government,
21 the person in charge of the corrections facility in which the defendant is confined shall deliver the
22 defendant to an authorized United States Marshal for the purpose of any appearance in connection with a
23 court proceeding.

24 IT IS SO ORDERED.

25
26 DATED: August 31, 2023


HONORABLE THOMAS S. HIXSON
United States Magistrate Judge